

FILED
US DISTRICT COURT
WESTERN DISTRICT
OF ARKANSAS
Jan 17, 2020
OFFICE OF THE CLERK

UNITED STATES DISTRICT COURT

for the
Western District of Arkansas

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Black Android LG Cell Phone with IMEI Number
35609510490851

Case No. 5:20 cm 08

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Described in Attachment A

located in the Western District of Arkansas, there is now concealed (identify the person or describe the property to be seized):

Described in Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 USC 841 (a)(1); and 21 USC 846	Distribution of Heroin; Possession with Intent to Distribute Heroin; and Conspiracy to Distribute Heroin

The application is based on these facts:

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

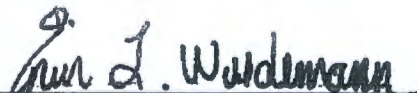
DEA SA Ryan Broomfield

Printed name and title

Sworn to before me and signed in my presence.

Date:

1/17/2020



Judge's signature

City and state: Fayetteville, AR

Chief US Magistrate Judge Erin Setser

Printed name and title

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, **Special Agent Ryan Broomfield**, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant under Federal Rule of Criminal Procedure 41 to search a black Android LG with associated cell phone IMEI number 35609510490851 (Target Telephone). Said Android LG is the phone most recently used by defendant Tyler Dellinger to facilitate his drug trafficking activities. The Target Telephone was seized by the Drug Enforcement Administration ("DEA") upon Dellinger's arrest on October 30, 2019. The Android LG is currently stored at the DEA Fayetteville Resident Office as N-180, in Non-Drug Storage. The Target Telephone is described herein and in Attachment A, and the information to be seized is described herein and in Attachment B.

2. Dellinger is charged in the Western District of Arkansas in case number 5:19 CR 50116-001 with possession of heroin with intent to distribute, possession of a firearm in furtherance of a drug trafficking offense, and felon in possession of a firearm. This matter is set for trial on February 4, 2020.

3. I am a Special Agent ("SA") with the Drug Enforcement Administration ("DEA"), United States Department of Justice, currently assigned to the New Orleans Field Division/Fayetteville Resident Office of DEA, High Intensity Drug Trafficking Area ("HIDTA"). I have been employed as a DEA Special Agent for one year, having been previously employed as a financial crimes investigator for UBS banking institution. During my employment, I have personally conducted or assisted in numerous investigations of criminal violations of the Controlled Substances Act and federal drug trafficking statutes. Many of these investigations

have also focused on organizations, which have distributed, manufactured, or derived income from illegal sources, specifically from the unlawful distribution of methamphetamine, marijuana, and other controlled substances. I have participated in numerous investigations into the unlawful importation, possession with intent to distribute, and distribution of controlled substances. I have participated in all aspects of drug investigations, including physical surveillance, execution of search warrants, undercover transactions, court-ordered wiretaps, analysis of phone and financial records, and arrests of numerous drug traffickers. I have been the affiant on numerous other search warrants. I have debriefed defendants, confidential informants, and other witnesses having extensive knowledge of the inner workings of major narcotics trafficking organizations, including those operating internationally. I have also spoken on numerous occasions with other experienced narcotics investigators, concerning the methods and practices of drug traffickers and money launderers. Furthermore, I have attended training courses specialized in the investigation of narcotics trafficking. Through these investigations, my training and experience, and conversations with other law enforcement personnel, I have become familiar with the methods used by drug traffickers to manufacture, smuggle, safeguard, and distribute narcotics, and to collect and launder trafficking-derived proceeds. I am further aware of the methods employed by major narcotics organizations to thwart any investigation of their illegal activities. Through my training and experience, I am familiar with the operation of international drug trafficking organizations. I am also familiar with the ways drug traffickers attempt to remain anonymous and conceal their whereabouts. My training and experience as a law enforcement officer, and my conversations with other law enforcement officers form the basis of the opinions and conclusions set forth below.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

5. Based on the facts set forth in this affidavit, there is probable cause to believe that Tyler Dellinger, hereinafter also referenced as Dellinger, utilized the Target Telephone to facilitate the distribution of heroin and to facilitate the safekeeping of the proceeds of this distribution. The facts set forth in this affidavit also show that there is probable cause to believe evidence, fruits, and instrumentalities of violations of federal law, that is violations of Title 21 U.S.C. § 841(a)(1) - distribution of a controlled substance and possession with intent to distribute a controlled substance; and violations of Title 21 U.S.C. §§ 841(a)(1) and 846 - conspiracy to distribute a controlled substance, are present in the Target Telephone seized from Dellinger upon his arrest on October 30, 2019. Further, the information sought will lead to the identification of additional individuals who are engaged in the commission of these offenses with Dellinger.

PROBABLE CAUSE

6. On October 30, 2019, DEA agents assisted by Arkansas Probation and Parole went to room #209 at 523 South Shiloh Drive, Fayetteville, Arkansas. This room was determined to be the hotel room of Tyler Dellinger. After law enforcement officers made contact with Dellinger inside the room he was taken into custody on an out-standing warrant, and officers proceeded to conduct a lawful search of his hotel room due to his valid parole search waiver. The officers and investigators located and seized several items including but not limited to the following: approximately 143.6 gross grams of heroin; 29.6 gross grams of methamphetamine; pharmaceutical pills; a firearm; ammunition; digital scales; packaging materials and the Target

Telephone. Dellinger was advised of his rights per *Miranda*. He waived those rights, and agreed to talk to investigators about the incident. Dellinger admitted post *Miranda* that the items seized belonged to him. Dellinger informed agents that he had been traveling to Dallas, Texas two or three times a week to obtain heroin, and that he would bring back at least two ounces of heroin to Northwest Arkansas each trip. Dellinger advised he had been supplying the heroin he brought back from Dallas to several subjects in the Western District of Arkansas. Dellinger further advised that he utilized the Target Telephone to communicate with members of his drug trafficking organization. Dellinger provided agents with the passcode for the Target Telephone and signed a consent to search form on this date. However, due to technical issues, the data contained on the Target Telephone was not able to be extracted by DEA.

7. Based on my training and experience as well as based on the investigation conducted in this case, I know that drug traffickers utilize their cellular devices to facilitate their criminal activity. This includes storing the following, although not meant to be an exhaustive list: storing phone numbers of clients; storing text messages related to their drug trafficking activities; storing voicemails related to their drug trafficking activities; storing instant messages on social media applications related to their drug trafficking activities; and storing other digital communications concerning and related to drug transactions and monies owed; storing photographs and other digital evidence of drugs, drug transactions, drug proceeds, firearms, and other tools of the trade; storing stash locations or other location information relevant to drug trafficking activities in the maps functions on the cellular device and also in the internet browser; and also storing information related to drug sales including monies owed and monies received. The investigation conducted up to this point shows that Tyler Dellinger utilizes the Target Telephone to help further illegal activities as described in the above paragraphs.

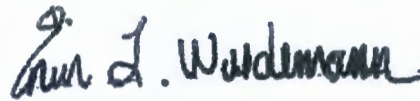
AUTHORIZATION REQUEST

8. Based on the foregoing, I request that the Court issue the proposed search warrant pursuant to Federal Rule of Criminal Procedure 41.

Respectfully submitted,


DEA SA Ryan Broomfield

Subscribed and sworn to before me on this 17th day of January _____, 2020



Erin L. Wiedemann
Chief United States Magistrate Judge

**ATTACHMENT A
PROPERTY TO BE SEARCHED**

1. The black Android LG assigned IMEI number 35609510490851. This Android LG was seized from Tyler Dellinger on October 30, 2019, when he was arrested. Dellinger was later indicted on federal charges in the Western District of Arkansas and is currently incarcerated at the Washington County Jail. It is currently stored at the DEA Fayetteville Resident Office as N-180, in the Non-Drug Storage.

ATTACHMENT B
PARTICULAR ITEMS TO BE SEIZED SEIZED

1. Any and all digital files in any form wherever they may be stored or found that contain information related to and pertaining to violations of Title 21 U.S.C. § 841(a)(1) - distribution of a controlled substance and possession with intent to distribute a controlled substance; and violations of Title 21 U.S.C. §§ 841(a)(1) and 846 - conspiracy to distribute a controlled substance. These items include but are not limited to ledger notes, bank account information, social media information, emails, text messages, voicemails, multi-media messages, photographs, videos, call logs, instant messages, GPS coordinates, credit card information, contact lists or telephone books.